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Paper No. 12

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JUL 21 2003

In re Application of
Foulger, et al.
Application No. 09/911,216
Filed: July 23, 2001
Attorney Dkt. No. EMPIR-024AUS
For: METHOD OF BACKTRACING
NETWORK PERFORMANCE

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DECISION GRANTING
STATUS UNDER 37 CFR
1.47(b)

OFFICE OF PETITIONS

This decision is in response to the renewed petition under 37 CFR 1.47(b), filed July 11, 2003.

The petition is GRANTED.

Petitioner has shown that inventors Davis Foulger, John Esposito, William Babcock, Robert McElhaney, and William Minckler either cannot be reached or located or having been presented with a copy of the above-identified application papers refuse to join in the filing of the application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0310.

Alesia M. Brown
Senior Petitions Attorney
Office of Petitions